



US Army Corps  
of Engineers  
Seattle District

# Joint Public Notice



## Application for a Department of the Army Permit and Department of Ecology Certification

US Army Corps of Engineers  
Regulatory Branch  
Post Office Box 3755  
Seattle, Washington 98124-3755  
Telephone (206) 764-6911  
Attn: Sandra Manning, Project Manager

Washington Department of Ecology  
SEA Program, SW Region  
300 Desmond Drive Southeast  
Olympia, WA 98503-7600  
Telephone (360) 407-7032  
Attn: Lori Ochoa, Permit Manager

Public Notice Date: August 11, 2006  
Expiration Date: September 9, 2006  
Reference No.: 200600706  
Name: City of Fife  
70<sup>th</sup> and Valley Avenues Project

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the United States as described below and shown on the enclosed drawings.

The Corps will review the work in accordance with Section 404 of the Clean Water Act (CWA). Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws. Pursuant to the requirements of Section 307 (c) of the Federal Coastal Zone Management Act (16 U.S.C. 1451) Ecology will also be reviewing the project to determine if the project is consistent with Washington State Coastal Zone Management Program.

APPLICANT: City of Fife  
Department of Public Works  
Mr. Russ Blount  
3725 Pacific Highway East  
Fife, Washington 98424  
Telephone: (253) 922-2489

AUTHORIZED AGENT:  
David Evans and Associates  
Mr. Scott Swarts  
415 118<sup>th</sup> Avenue, Southeast  
Bellevue, Washington 98005  
(425) 519-6593

LOCATION – In wetlands, and Wapato Creek at 70<sup>th</sup> Avenue and Valley Avenue at the City of Fife, Pierce County, Washington.

PROJECT DESCRIPTION – WORK: The proposed project includes: widening 70<sup>th</sup> and Valley Avenues in the City of Fife for safety and congestion, and will include the addition of pedestrian sidewalks and bike lanes. Fill will be placed in approximately one acre of wetlands, and temporary fill will be placed in 0.08 acres of wetlands. Wapato Creek will be realigned for 760 linear feet, moving the Creek away from the existing road. A longer culvert will be required on Wapato Creek for the road widening. The new culvert will be a bottomless culvert and will replace two smaller existing culverts. The roadside ditches will be filled and

replaced along the new roadway. Two stormwater facilities will be constructed to treat the surface runoff. All impacts are proposed to be mitigated at a constructed mitigation site located adjacent to the existing road in the area where Wapato Creek will be relocated which is currently an agricultural field. The wetlands that will be permanently impacted include 0.92 acres of Category II, 0.05 acres of Category III, and 0.02 acre of Category IV wetlands, most of which are meadow/grasslands or agricultural emergent wetlands, or scrub shrub wetlands. The impacts to the Category II wetland will occur in the emergent area of the wetland that is degraded, and dominated by reed canary grass and blackberry.

**PURPOSE:** The purpose of the project is to facilitate the safe and efficient movement of freight and vehicles, reduce railroad conflicts increase, capacity to meet current and predicted congestion problems and improve safety access to a rapidly developing industrial area of Pierce County.

**ADDITIONAL INFORMATION** – Copies of this public notice which have been mailed or otherwise physically distributed feature project drawings in black and white. To access the electronic version of this public notice, go to the Seattle District's web page at <http://www.nws.usace.army.mil/> and scroll down the alphabetical listing of District elements, and click on "Regulatory" and then "Regulatory – Permits" for the Seattle District's Regulatory homepage. Select the prominently displayed "Public Notices" heading and a list of recently-issued public notices will appear, in chronological order of the date of issuance. Select the listing for this City of Fife project by clicking on the blue file number, 200600706.

**ENDANGERED SPECIES:** The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS), (collectively, the Services), pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The Federal Highway Administration (FHWA), as the lead agency for ESA consultation, is consulting with the NMFS as required under Section 7 of the ESA. Listed below are the species, listed under ESA that occur in the project area, and FHWA's determination of effect:

- Bald eagle, threatened, *no effect*
- Chinook Salmon, threatened, and Chinook Salmon Critical Habitat, *no effect*
- Bull Trout, threatened, and Bull Trout Critical Habitat, *no effect*
- Puget Sound Steelhead, proposed threatened; *no jeopardy* - Steelhead is proposed to be listed in this area and is under review by NMFS

Based on the information provided in the Biologic Assessment (BA) dated March 2006, the Corps supports the determinations of "*no effect*" made by FHWA. For the determinations of "*no effect*", consultation with the Services is not required. For the Steelhead "*no jeopardy*" determination, conferencing with NMFS is not required. FHWA has determined that if Puget Sound Steelhead are listed prior to the project going to construction, the determination of effect would be "*may affect, not likely to adversely affect.*" After receipt of comments from this public notice, and review and coordination with the NMFS, the Corps will evaluate the potential impacts to the Puget Sound Steelhead for purposes of the 404 permit.

**ESSENTIAL FISH HABITAT:** The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action contains about 0.5 acres of EFH for Pacific salmon in the area of culvert placement and creek realignment. FHWA as the lead agency has made a determination that the project will have "*no adverse impact*" to EFH therefore consultation with the NMFS is not required. The Corps' final determination relative to project impacts and EFH is subject to review of the BA dated March 2006, and will consider all comments received in the public notice for our decision.

CULTURAL RESOURCES: The FHWA, as the lead agency for determining compliance with Section 106 of the National Historic Preservation Act, has initiated consultation with the Washington State Office of Archaeology and Historic Preservation (OAHP), the Puyallup Tribe and the Muckleshoot Tribe as appropriate. The OAHP concurred on December 7, 2004 with the "Area of Potential Effect" as defined by FHWA. Further consultation and coordination with both Tribes is currently on-going.

This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

MITIGATION: Impacts to wetlands and Wapato Creek were avoided and minimized through project alignment and design changes, and minimization efforts including retaining walls. To compensate for the loss of 1.0 acre of unavoidable wetland impacts, and impacts associated with the culvert placement at Wapato Creek, the City of Fife will realign approximately 760 linear feet of Wapato Creek into a meandering channel away from the road, create 1.68 acres of Category II scrub/shrub and forested wetland surrounding the new Creek realignment, create 0.13 acres of open water wetland that will provide a side channel for the new creek habitat, 0.02 acre of habitat island within the open water area, 0.64 acres of wetland enhancement through removal of invasive species, and planting with native trees and shrubs, and creation of 2.23 acres of a densely vegetated buffer around the new wetland and creek site. The buffer area will be an average of 75 feet wide around the site. The wetland areas being impacted by this proposal are all located immediately adjacent to the existing roadway, or are within or at the edge of a farmed field, so provide limited functions which include wildlife habitat, floodwater storage and conveyance, and some water quality improvements. The mitigation site is designed to provide improvements to water quality and quantity including nutrient cycling and sediment removal, augmentation of low summer flows through floodwater storage by the additional areas created, creation of fish and wildlife habitat including food chain support for Wapato Creek. The Corps of Engineers is currently reviewing the proposed draft mitigation report, dated June 7, 2006 and has not made a determination of adequacy to replace lost functions. This review will occur during the permit review process, and the decision of adequacy will include consideration of any comments received during the public notice.

Stormwater treatment will also occur for this project to provide water quality and quantity treatment in an area that currently has no treatment. This will improve the water quality runoff to Wapato Creek, and provide erosion control of heavy runoff during storm events. The project is being designed to comply with the *Washington State Department of Transportation's Highway Runoff Manual (2004)*, which has been approved for use by the Washington State Department of Ecology. Two stormwater facilities will be constructed to include constructed stormwater treatment wetlands into the design.

PUBLIC HEARING -Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION – CORPS - The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the CWA. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

EVALUATION—ECOLOGY: Ecology is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by Ecology to determine whether to issue, modify, condition or deny approval for the work. Ecology will review the project for a Water Quality Certification (WQC), pursuant to the requirement of Section 401 of the CWA, to determine if the project will comply with Sections 301, 302, 303, 306 and 307 of the Act, and complies with applicable provisions of State water pollution control laws, and for consistency with the Coastal Zone Management Act and the enforceable policies of that Act.

ADDITIONAL EVALUATION – This project will be reviewed for compliance with the Critical area ordinances, floodplain management and Shoreline Permit requirements from the City of Fife. A Hydraulic Project Approval (HPA) from the State Department of Fish and Wildlife will also be required.

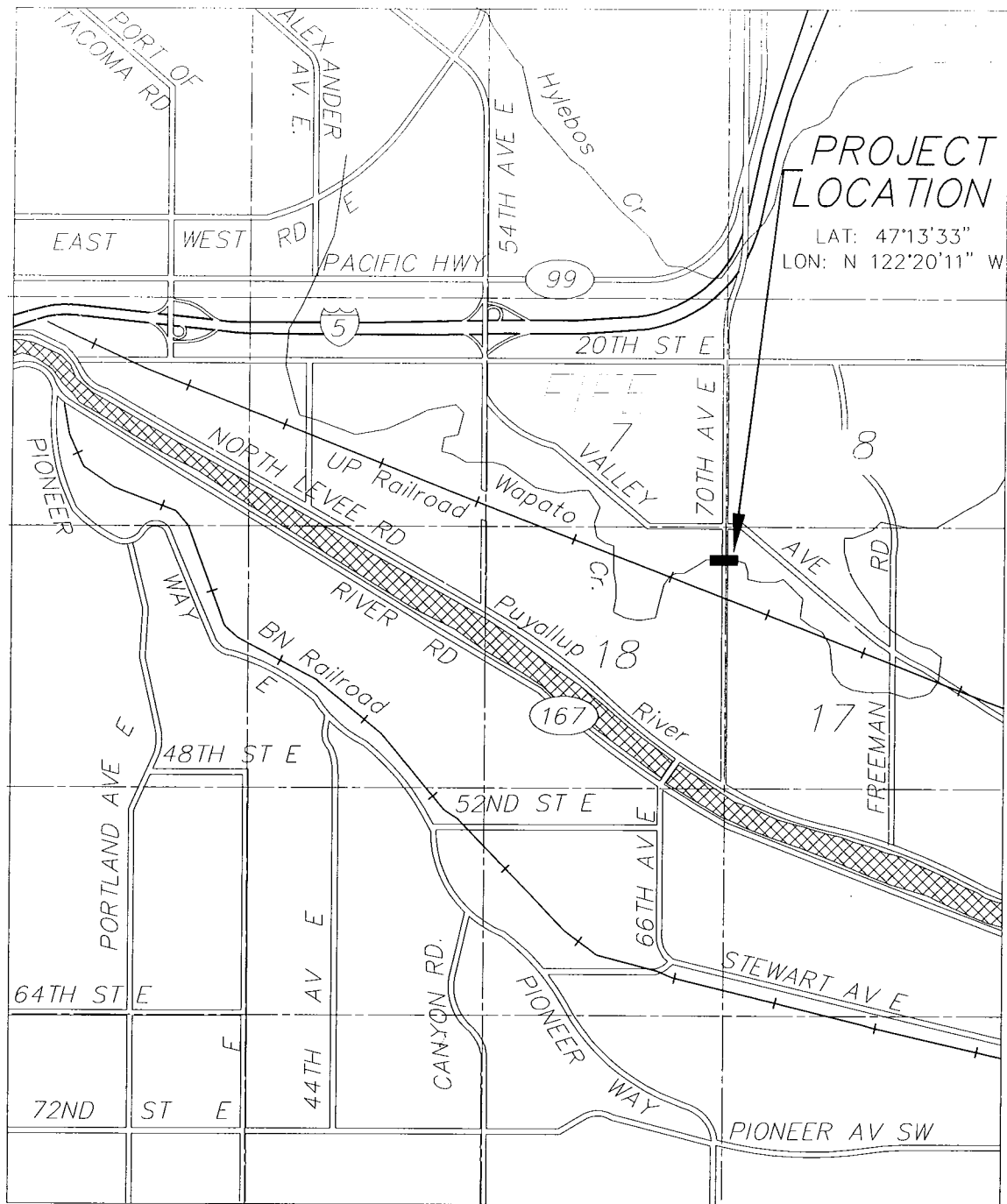
COMMENT AND REVIEW PERIOD – Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown at the end of this notice. Both conventional mail or e-mail comments must include the permit applicant's name and reference number and the commenter's name and address (e-mail or street), and should also list a phone number. All comments whether conventional mail or e-mail must reach the appropriate office no later than the expiration date of this public notice to ensure full consideration.

Corps comments: All e-mail comments should be sent to [Sandra.L.Manning@nws02.usace.army.mil](mailto:Sandra.L.Manning@nws02.usace.army.mil) Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Ms. Sandra Manning, Post Office Box 3755, Seattle, Washington 98124-3755.

Ecology Comments: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA, or under the Coastal Zone Management Act may do so by submitting written comments to the following address: Department of Ecology, Ms. Lori Ochoa, 300 Desmond Drive Southeast, Olympia, Washington 98503-7600, or e-mail to [loch461@ecy.wa.gov](mailto:loch461@ecy.wa.gov)

To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: City of Fife, #200600706.

Encl:  
Drawings (7)



T.  
20  
N.  
W.  
M.



**City of Fife**  
**Department of Public Works**  
5411-23rd Street East  
Fife, Washington 98424



**DAVID EVANS  
AND ASSOCIATES INC.**

3700 Pacific Hwy. East, Suite 311  
Tacoma Washington 98424  
Phone: 253.922.9780



1) HORIZONTAL DATUM: BASIS OF BEARING OF THIS SURVEY IS THE WASHINGTON STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, AND 83/91.

2) VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM OF 1929 (NAVD'29).

PROJECT

**PROPOSED WAPATO CREEK CULVERT REPLACEMENT**

TITLE

**70TH AVENUE EAST, PIERCE COUNTY, WASHINGTON**

**VICINITY MAP**

SHEET

1

OF

3

DWG. REP.  
WC-1

PROJECT  
FIFE0062

SCALE  
As Shown

DRAWN BY  
GEN

DESIGN BY  
GEN

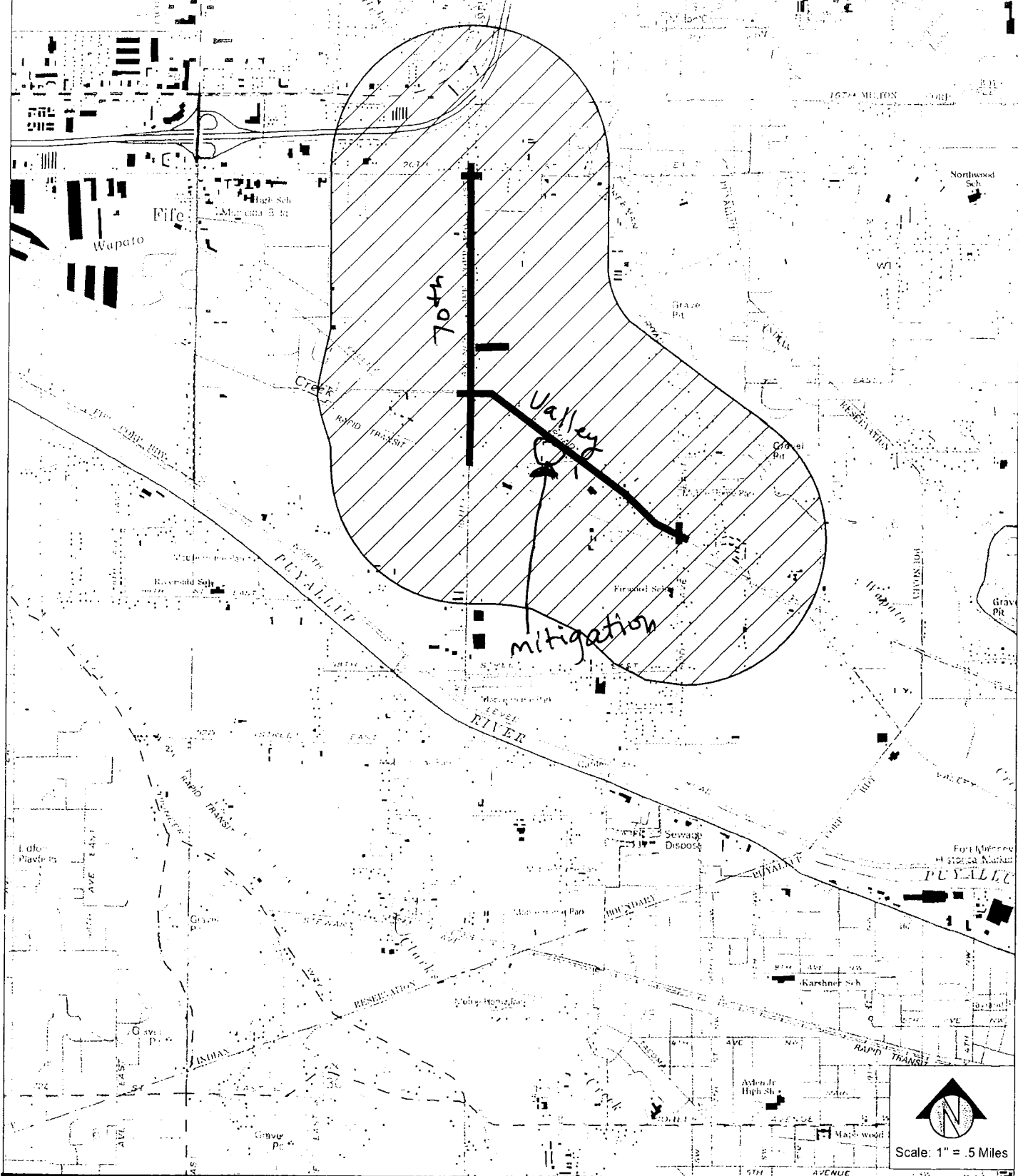
APPROVED BY  
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AMENDMENT NO.  
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DATE  
03-15-06

Corps # 2006 00706

6/9/06



# LEGEND

- Project Area
- Action Area

Source:  
MapTech Terrain Professional, 1997

## 70th Avenue East and Valley Avenue East USGS Project Map and Action Area

City of Fife  
Corps# 200600706

FIFE0000-0062

October 2005

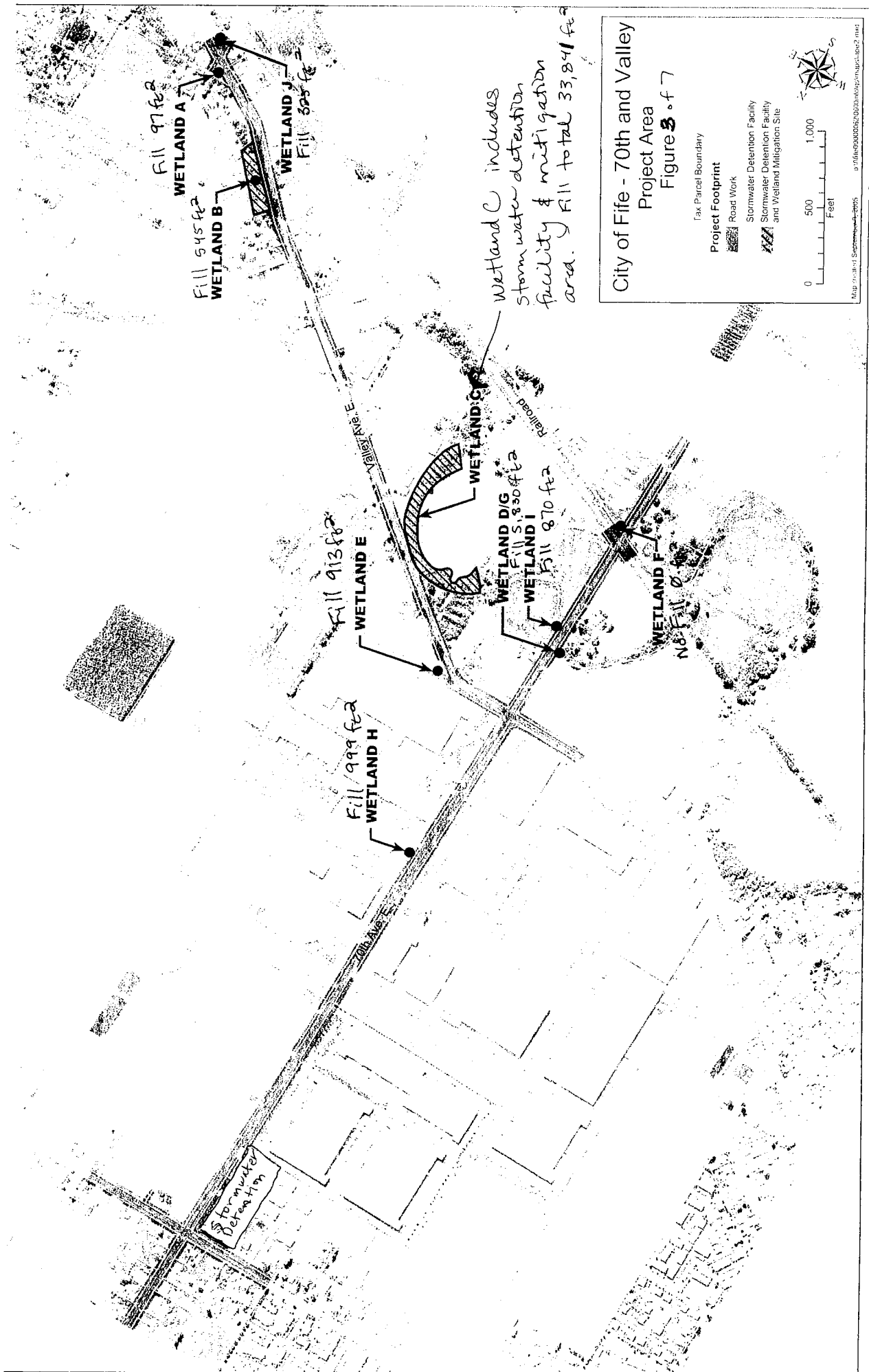
Figure 2 of 7

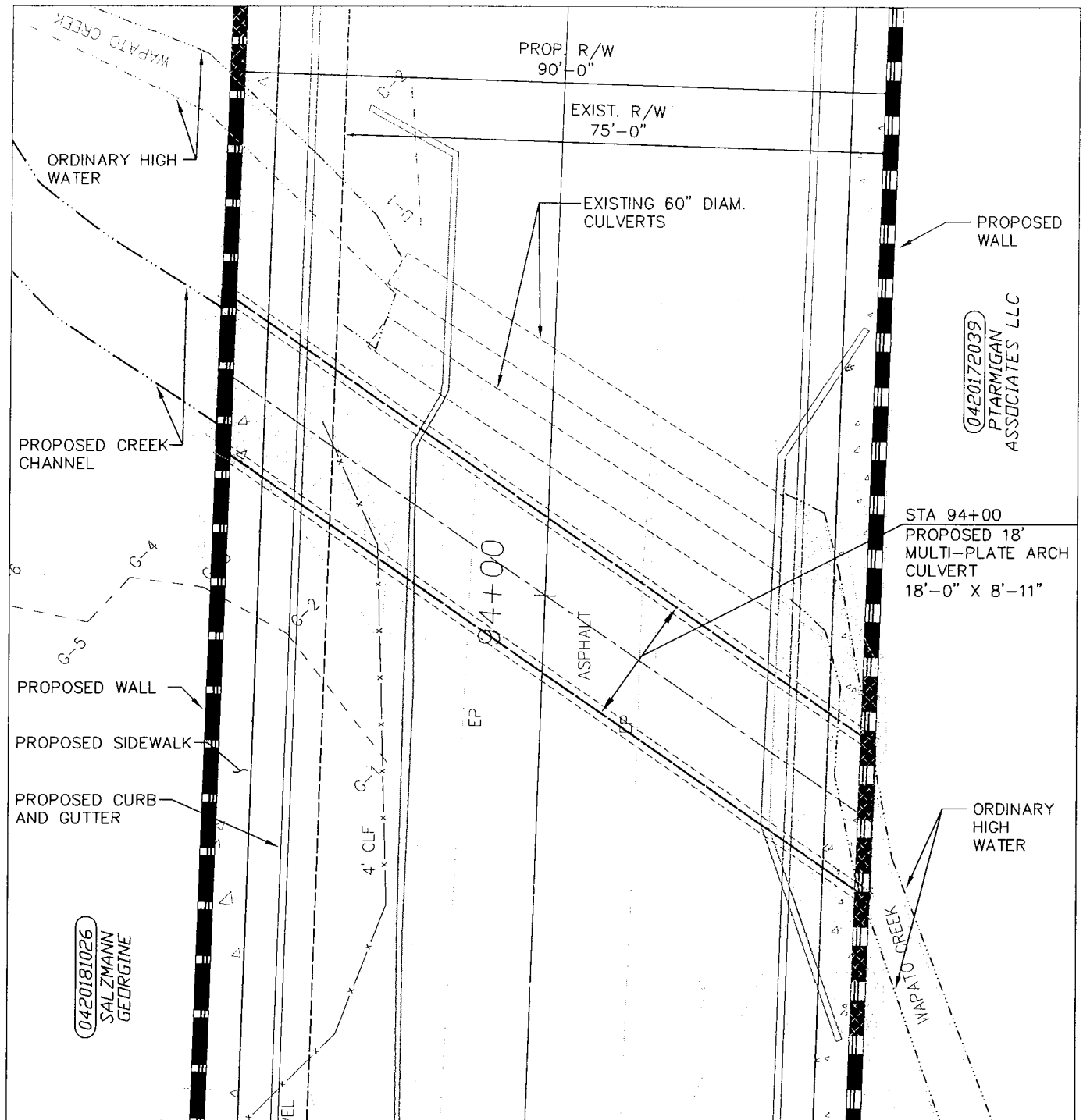


DAVID EVANS  
AND ASSOCIATES, INC.

6/9/06

June 21, 2006 Corps# 200600706





PLAN VIEW



City of Fife  
Department of Public Works  
5411-23rd Street East  
Fife, Washington 98424



DAVID EVANS  
AND ASSOCIATES INC.

3700 Pacific Hwy. East, Suite 311  
Tacoma Washington 98424  
Phone: 253.922.9780

PROJECT

PROPOSED WAPATO CREEK CULVERT REPLACEMENT

TITLE

70TH AVENUE EAST, PIERCE COUNTY, WASHINGTON

SITE PLAN

LEGEND

--- WETLAND BOUNDARY  
EX. OH POWER AND TELEPHONE  
EX. TELEPHONE  
EX. WATER MAIN

PERMANENT IMPACTED WETLAND AREA



SHEET

4  
OF

DWG. REF.  
WC-2

PROJECT  
FIFE0062

SCALE  
As Shown

DRAWN BY  
GEN

DESIGN BY  
GEN

APPROVED BY  
DEAS

AMENDMENT NO.  
0.0

DATE

03-15-00

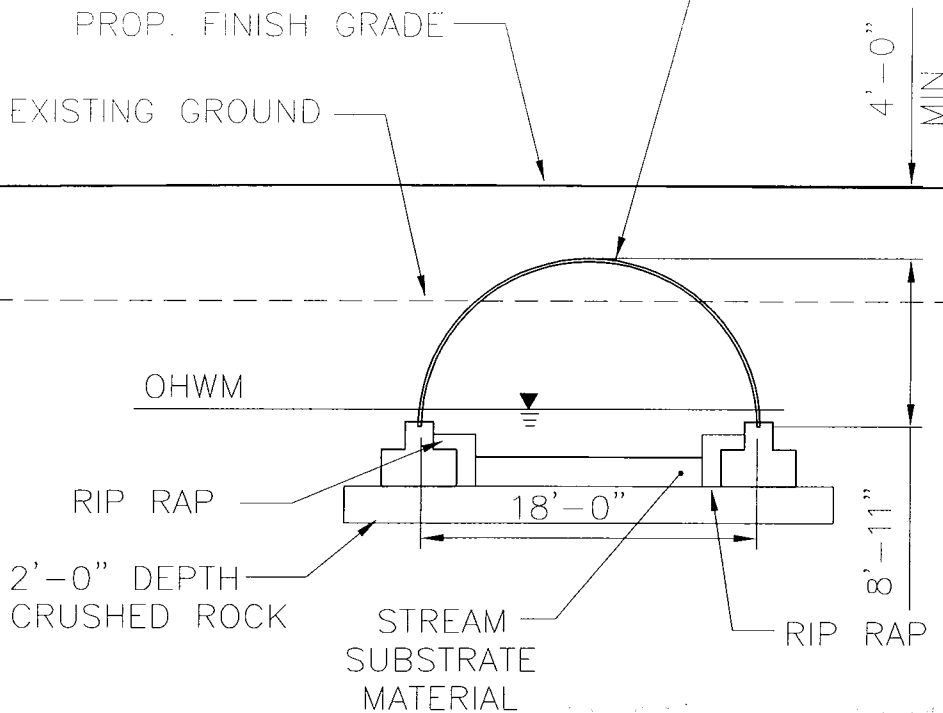
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6/9/06



PROP. 110 LF MULTI-PLATE ARCH  
CULVERT 18'-0" X 8'-11"

STA 94+00



## SECTION



**City of Fife**  
**Department of Public Works**  
5411-23rd Street East  
Fife, Washington 98424



**DAVID EVANS  
AND ASSOCIATES INC.**  
3700 Pacific Hwy. East, Suite 311  
Tacoma Washington 98424  
Phone: 253.922.9780



PROJECT

PROPOSED WAPATO CREEK CULVERT REPLACEMENT

TITLE

70TH AVENUE EAST, PEIRCE COUNTY, WASHINGTON

CULVERT SECTION

DWG. REF.  
WC-3

PROJECT  
FIFE0062

SCALE  
As Shown

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GEN

DESIGN BY  
GEN

APPROVED BY  
DEAS

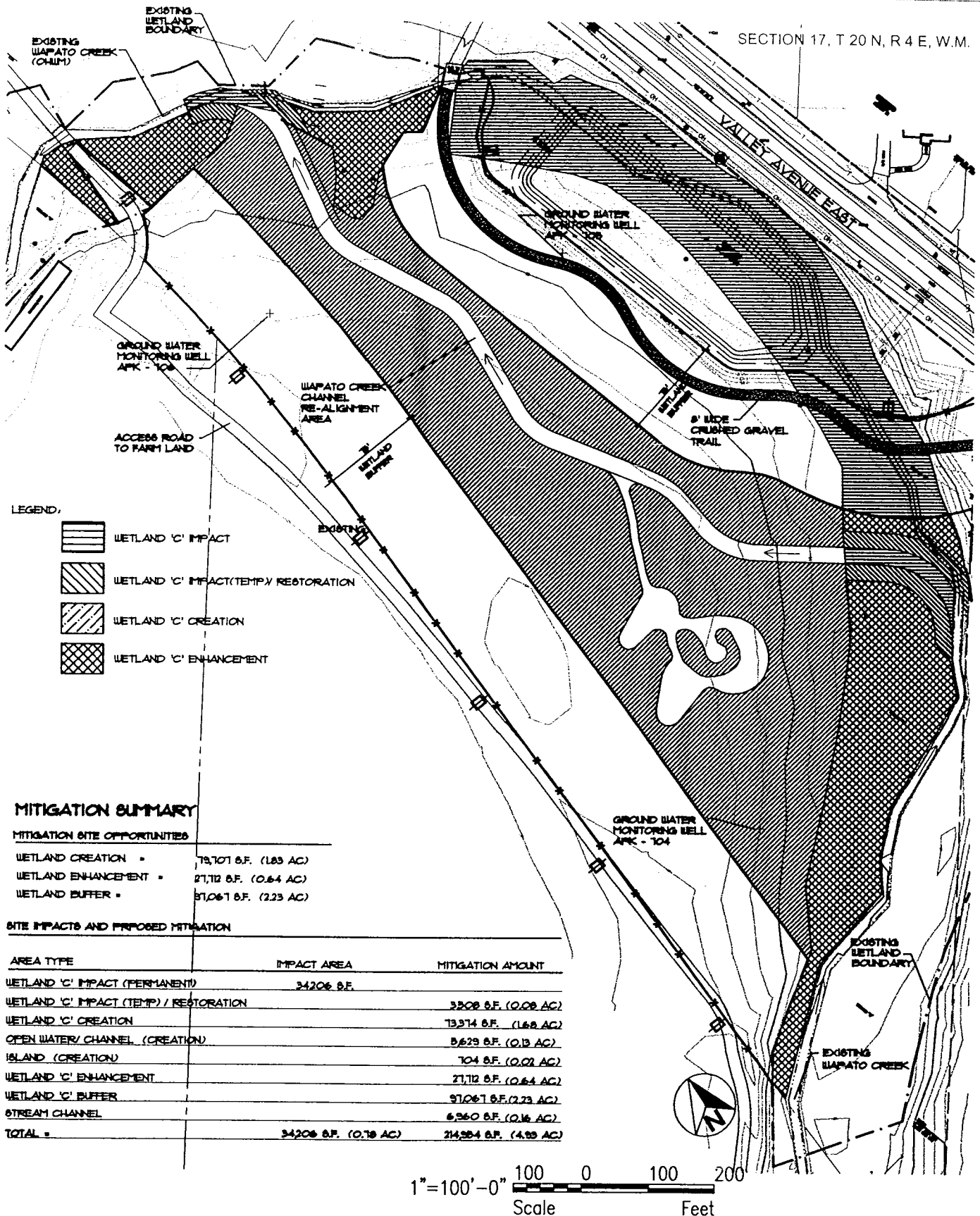
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SHEET

**5**  
OF  
**7**

Corps # 2006 00706 6/9/06



PROJECT NAME: 70TH AVENUE EAST AND VALLEY AVENUE  
EAST MITIGATION PLAN

PURPOSE: RELOCATE A PORTION OF WAPATO CREEK  
AND CREATE WETLAND

DATUM: CITY OF FIFE NGVD 1929

REFERENCE NO.: ~~WA~~ Corps # 200600706

SITE PLAN 6 of 7

COUNTY OF: PIERCE

SITE LOCATION ADDRESS:

APPLICATION BY:

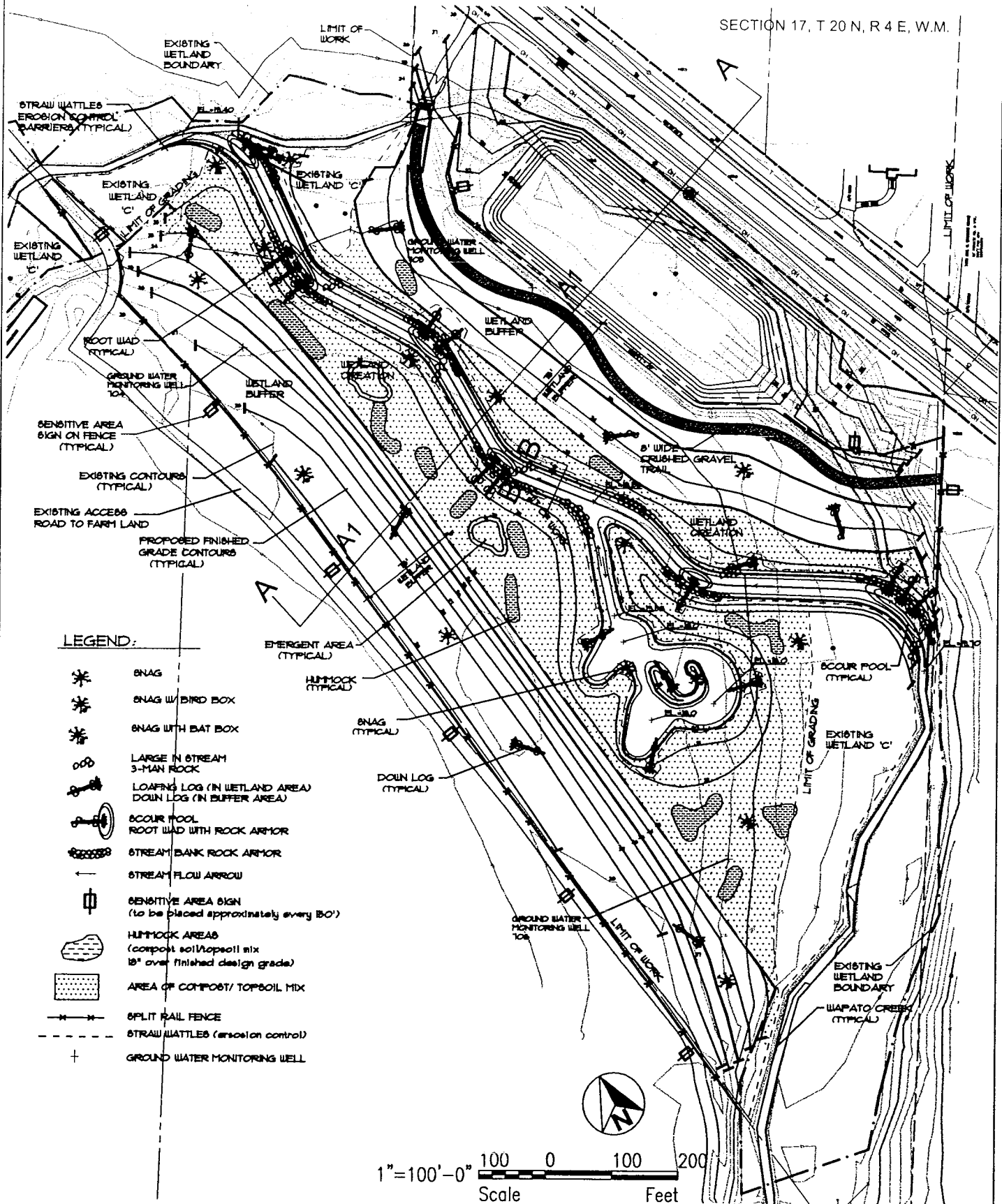
SHEET 6 of 7

WATER BODY: WAPATO CREEK

JANKANISH PROPERTY  
VALLEY AVE. E.  
FIFE, WA 98424

CITY OF FIFE

DATE: 6/9/06



PROJECT NAME: 70TH AVENUE EAST AND VALLEY AVENUE SECTION  
EAST MITIGATION PLAN

PURPOSE: RELOCATE A PORTION OF WAPATO CREEK  
AND CREATE WETLAND

DATUM: CITY OF FIFE NGVD 1929

REFERENCE NO.: ~~##~~ Corps # 200600706

# GRADING PLAN

COUNTY OF: PIERCE

SITE LOCATION ADDRESS:

APPLICATION BY:

SHEET 7 OF 7

WATER BODY: WAPATO CREEK

JANKANISH PROPERTY  
VALLEY AVE. E.  
FIFE, WA 98424

CITY OF FIFE

DATE: 6/09/06